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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
--X

CIRO CHARLES HICKS   11- Civ.-8158 (KBF)

                             Plaintiff,
                                                                    VERDICT SHEET

        – against –

VANE LINE BUNKERING, INC.,

                             Defendant.
--X

        Please answer the following questions according to the applicable principles of law as charged by the Court, and the facts as you find them.

Part I:

1.   Negligence

        a.   Did the plaintiff prove by a preponderance of the evidence that the defendants were negligent?

                YES _____   **NO** _____

        If your answer is "yes," proceed to (1)(b) below. If your answer is "no," you should proceed to Question 2.

        b.   Did the plaintiff prove by a preponderance of the evidence that the defendants' negligence played any part, no matter how slight, in causing the plaintiff's injury?

                YES _____   **NO** _____

        Proceed to Question 2.

2.   Seaworthiness Claim

        a.   Did the plaintiff prove by a preponderance of the evidence that the Tug PATRIOT was unseaworthy?

                YES _____   **NO** _____

If your answer is "yes," proceed to (2)(b) below. If your answer is "no," you should move to Part II.

b.   Did the plaintiff prove by a preponderance of the evidence that an unseaworthy condition of the ship, its equipment or crew played a substantial part in causing an injury to plaintiff?

YES _____   **NO** _____

Proceed to Part II.

Part II: If you did not have "yes" for either 1(b) or 2(b), you should proceed no further and report a verdict for the defendants. If you answered "yes" to **either** questions 1(b) **or** 2(b), then continue to Question 3.

3.   **Contributory Negligence**

a.   Did the defendants prove by a preponderance of the evidence that plaintiff was himself negligent?

YES _____   **NO** _____

If your answer is "yes," proceed to 3(b) below. If your answer is "no," proceed to Question 4.

b.   Did the defendants prove by a preponderance of the evidence that the plaintiff's negligence played a part in bringing about his own injury?

YES _____   **NO** _____

Proceed to Question 4.

4.   **Subsequent Injury**

a.   Did the plaintiff prove by a preponderance of the evidence that the injury suffered by the plaintiff exacerbated the plaintiff's pre-existing right shoulder condition?

YES _____   **NO** _____

If your answer is "yes," proceed to 4(b) below. If your answer is "no," proceed to Part III.

b.   Did the plaintiff prove by a preponderance of the evidence that the exacerbated right shoulder condition substantially caused the plaintiff's subsequent shoulder injury?

YES _____   **NO** _____

If your answer is "yes," proceed to 4(c) below. If your answer is "no," proceed to Part III.

c. Did the defendants prove by a preponderance of the evidence that the plaintiff's negligence played a part in bringing about his shoulder injury?

YES _____   **NO** _____

Proceed to Part III.

Part III: Answer Question 5 only if your answer to either 3(b) or 4(c), or both, is "yes." Otherwise proceed to Part IV.

5.   To what extent, stated in percentage, did plaintiff's negligence contribute to bringing about his injury or injuries?

Ciro Charles Hicks   _____%

Proceed to Part IV.

Part IV: You will now be asked to assess and state the amount of damages which the plaintiff has sustained as a result of the defendants' negligence or the unseaworthiness of the defendants' vessel. If you decide not to make an award as to any particular item, please insert the word "none" in the appropriate space. (**In making the determinations below, do not take into account the percentage set forth above; those calculations will be made by the Court**.)

(A)   Please state the total amount of damages sustained by the plaintiff **up to the date of your verdict** as to each category below:

Past Lost Earnings $_____
(including benefits)

Past Pain and Suffering $_____

(B)   Please state the total amount of damages to the plaintiff **which will be incurred by him in the future**:

Future Lost Earnings $_____
(including benefits)

Future Pain and Suffering $_____

        TOTAL DAMAGES   **$_____**

Dated: _____. 2012   _____
          New York, New York   FOREPERSON